

FREDERICK COUNTY LIQUOR BOARD

Public Meeting Minutes

Monday, August 5, 2013

Those Present: Mr. Dick Zimmerman, Chairman
Mrs. Maggi Hays, Board Member
Mr. Rick Stup, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Ms. Kathy L. Vahle, Administrator
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Penny Bussard, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 9 am by Chairman Zimmerman.

1. **Brewery License and Consumption Permit** – The Board received a packet containing a proposal to create a Class DBR license that would allow a Brewery holding a Class 5 Manufacturer's license to get a license that is the equivalent of a Class D license and an On-Site Premise Consumption Permit. This is a result of House Bill 4 that was signed into law by the Governor. The proposed license fee for the Class DBR license will be \$250 and the fee for the On-Site Premise Consumption license will be \$1,000. Mr. Stup felt that the fees should be doubled due to the administrative costs. Mr. Zimmerman proposed that this license would be limited to those who hold a Class 5 Manufacturer's license. The Board discussed when the Flying Dog has their 12 events under the Manufacturer's License, the establishment must close during that time in order to use the Special Event license. The Board approved the draft of the permit application. Mrs. Thall asked that item #1 on the draft application be amended to say that the Board "may grant an application" instead of "shall" otherwise it seems mandatory. Also on item #5 there seems to be a typo, it should say "by" instead of "but". Mr. Stup proposed a two week deadline for the notice for the special events. The applicant will have to submit a business plan. Once a Public Hearing is held and the new license is adopted, the applicant will also have to apply for a regular license. A Public Hearing will be held on September 30, 2013. A Vote by Poll will be taken to approve any further changes.

MOTION: Mr. Stup made a motion to move forward with approved changes that were discussed and further review by vote by poll email.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays - Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**
(Motion Passed)

2. **Frederick Fair Wine Bar** – Ms. Vahle stated that one of the licensees will apply for a Caterer's License and is requesting to have a wine bar café in a separate building from the beer tent. There would be two separate licenses for the fair. Mr. Routzhan, owner of the Silver Maple Restaurant, stated his establishment would like to be involved with the Frederick Fair and to have a wine café. Ms. Brashear stated the wine bar would be located in the back third of Building 14. Mr. Routzhan stated he would like to close his establishment in order to staff the wine bar during the fair. Mr. Stup asked where the public access would be and Ms. Brashear stated it would be from the front of the building and would be fenced and monitored.

MOTION: Mr. Stup made a motion to approve the request.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays - Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**
(Motion Passed)

3. **Rules of Procedure** – A written draft of the Rules of Procedure for the Liquor Board was given to the Board for their review. Mr. Stup proposed to continue working and include forms to be added

to the appendix. He did not want to keep working on it unless the Board felt he was moving in the right direction. The Board agreed they wanted him to continue. Mrs. Thall will review the Procedures when completed, another draft will be sent to the Board. It must be approved in a Public Meeting.

4. **Gateway Liquors** – The Board received a request from this establishment to move the liquor store from one end of the building to the other end of the building. It will be a move to another address and space even though it is in the same building. There is a market between the two areas. In the case of a building with multiple areas such as a mall or strip mall, to move from one space to another requires a transfer and public hearing to give a chance for the public to provide input. Chairman Zimmerman stated that he would like to accommodate the business to just move to the other end of the building, but it is a different address. Mrs. Doll would like to be open by November and was hoping she would not have to do a transfer which would take 2 months. Mrs. Thall stated the Board could suspend their rules to allow the move without a transfer. Chairman Zimmerman stated he was not opposed to it, and he would not make a motion.

MOTION: Mrs. Hays made a motion to suspend the rules and allow them to relocate.

SECOND: There was no second on the motion.

FURTHER DISCUSSION

ON THE MOTION: The motion failed.

5. **Barley and Hops Outside Event** – Ms. Vahle stated she received a request from this establishment to host a “Working Stiffs Booze-a-Palooza” and to take 12 parking spaces in the parking lot. They would have an outside area where there will be 7 different breweries with the representatives explaining their beers. There will be a \$5 entrance fee and the tastings will cost \$2 each. Participants will receive a token and then give it to the brewer of their choice to taste whatever beer they choose. There will be a band during this event. Barley and Hops may charge for these tastings and the funding will go to Barley and Hops, not the breweries. The event will be monitored and roped off.

MOTION: Mr. Stup made a motion for approval of the request.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mrs. Hays – Aye
Mr. Stup - Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

6. Decision Required: approval of the Public Meeting Minutes for July 15, 2013.

MOTION: Mr. Stup made a motion to approve the Public Meeting Minutes for July 15, 2013.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup - Aye
Mrs. Hays - Aye
Mr. Zimmerman – Aye

The vote was unanimous. **Aye – 3 Nays – 0**
(Motion Passed)

7. **Municipalities** – Mr. Stup stated that he met with the Municipalities and discussed Zoning approvals for license requests, outside requests, parking and noise. The Municipal Planners have a meeting quarterly and would like to invite the Liquor Board to attend and explain their process. Ms. Vahle will attend the meeting on September 13th and follow up.
8. **Passports** – Mr. Stup stated he was concerned about ID's. Our regulations state that a passport is not acceptable as an ID. He spoke to a member of the Delegation who called Jeff Kelly in the Comptroller's Office. Mr. Kelly stated that they would be against any Statewide change to accept the passport, because they felt that the jurisdictions already had that power to do that. He would like to investigate adding the passport as an acceptable

ID to our regulations. Ms. Vahle stated the servers could not read them and they would not know if they were valid or not. This will be placed on the list of possible Rule changes to consider.

9. **Tips** -Ms. Vahle has found Tips Training for the Board at \$45 each. She will get some available dates from the trainer and send an email to the Board Members to schedule a day.

ADJOURN

The meeting was adjourned at 10:20 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees